

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In re	§	
	§	
PASO DEL NORTE MATERIALS, LLC,	§	Case No. 23-30252-HCM-11
	§	
Debtor.	§	

**ORDER GRANTING DEBTOR'S EMERGENCY MOTION FOR AUTHORIZATION
FOUR RANCO END-DUMP TRAILERS FREE AND CLEAR OF LIENS**

On this date after notice and an opportunity to be heard were furnished to parties in interest, the Court has considered the Motion of the Debtor-in-Possession PASO DEL NORTE MATERIALS, LLC ("PDNM") to Sell Four Ranco End-Dump Trailers, serial numbers ending -8771, -8772, -8773, and -8774, free and clear of liens and interests under 11 U.S.C. § 363(b) and (f). For good cause shown, the Motion is GRANTED.

From the proceeds of \$256,000 there shall be paid the following liens and expenses:

- a) Ad valorem taxes as due thereon as shown on the records of The CITY OF EL PASO.
- b) Attorney's fees and expenses to Debtor's counsel E.P. BUD KIRK equal to 3.125% of the gross sale price, or \$8,000.
- c) A sales commission of 5.469%, already paid to and being held by the broker CARMODY & ASSOCIATES, equal to \$14,000.00; this commission has already been received by the broker, subject to Court approval.
- d) The balance of the proceeds, estimated to be \$230,000.00, is to be paid to the first contractual lienholder, 1ST SOURCE BANK. 1ST SOURCE BANK upon receipt of the above payment shall furnish forms of lien releases to the Buyer, CORE EQUIPMENT, LLC, at 1476 W. Howard Ave, Suite B, Gilbert AZ 85233. The sale is, however, to be free and clear of all liens, whether a release is executed or not.

###

Submitted by:

E.P. BUD KIRK
Attorney at Law
600 Sunland Park Dr.
Building Four, Ste. 400
El Paso, TX 79912
(915) 584-3773
(915) 581-3452 facsimile
budkirk@aol.com

Attorney for Debtor-in-Possession